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8 *Attorney for Terrel Durr

9 United States District Court
10 District of Nevada

11 Terrel Durr,

12 Petitioner

13 v.

14 Warden High Desert State Prison, *et al.*,

15 Respondents
16

Case No. 2:22-cv-00732-JAD-NJK

**Stipulation and Order to Dismiss
Petition and Close Case**

ECF Nos. 33, 39

Stipulation

This case began with a pro se petition for writ of habeas corpus filed by Terrel Durr on May 5, 2022.¹ This Court then granted Durr's motion for appointment of counsel.² Durr filed a counseled amended petition and exhibits on June 27, 2023.³ Durr subsequently filed a petition for writ of habeas corpus in the Eighth Judicial District Court in Las Vegas. Through the state habeas proceedings, Durr was able to renegotiate his case, resulting in a new judgment of conviction and a new sentence.⁴ As a result of the new plea agreement, Durr's sentence in the case that underlies the present petition was changed from life without the possibility of parole to a sentence of 10 to 25 years.⁵

In light of Durr's new judgment of conviction, these proceedings are moot. Accordingly, the parties stipulate and agree that the petition should be dismissed, and the case should be closed. Counsel for Respondents also notes that Respondents' stipulation does not constitute a waiver of any defenses.

Dated July 10, 2024

Aaron D. Ford
Attorney General

Rene L. Valladares
Federal Public Defender

s/ Brooke D. Georguson
Brooke D. Georguson
Deputy Attorney General

s/ Laura Barrera
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Assistant Federal Public Defender

¹ ECF No. 1-1.

² ECF No. 9.

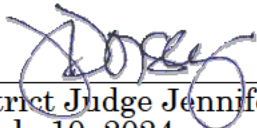
³ ECF Nos. 20, 21.

⁴ P.Ex. 7.

⁵ P.Ex. 7.

ORDER

Based on the parties' stipulation [ECF No. 39] and good cause appearing, IT IS HEREBY ORDERED that **THIS ACTION IS DISMISSED**, each side to bear its own fees and costs. The pending motion to dismiss [ECF No. 33] is **DENIED** as moot. The Clerk of Court is directed to **CLOSE THIS CASE**.



U.S. District Judge Jennifer A. Dorsey
Dated: July 10, 2024